

### REMARKS

The following remarks form a full and complete response to the Office Action dated January 23, 2009. Support for new claims 29-31 can be found, *inter alia*, in claims 11, 25, and 27 as originally filed and in paragraph 6 of the published application. Accordingly, claims 11-31 remain pending and Applicants submit them for consideration.

### *Objections to the Specification*

The Examiner objected to the Specification for failing to provide proper antecedent basis for the claimed subject matter. Specifically, the Examiner asserted that the specification “is devoid of terms such as ‘computer readable medium’ as recited in claims 11-28.” *See* Office Action at 2. Applicants respectfully traverse the Examiner’s objection.

Regardless of whether the exact phrase “computer readable medium” appears in the specification, one of ordinary skill in the art would understand the meaning of “computer readable medium” to include RAM and hard disks, as disclosed in paragraph 6 of the published application. Furthermore, the Application is very clearly about software, which one of ordinary skill in the art would also understand to require a computer-readable medium. Applicants, therefore, submit that sufficient antecedent basis exists in the Specification for the term “computer readable medium.” Accordingly, Applicants respectfully request withdrawal of the objection to the Specification.

### *Claim Rejections Under 35 USC §102*

The Examiner rejected claims 11-28 were rejected under 35 U.S.C. § 102 as anticipated by U.S. Patent No. 6,742,175 to Brassard et al. (“Brassard”). Applicants traverse the rejection because claims 11-28 recite subject matter not disclosed by Brassard.

Independent claim 11 recites software, encoded on a computer readable medium, for the generation of a computer code of at least one part of a computer application. The software generates the computer code from a description of the computer application by distributing the description between several code generators according to modifiable distribution rules. Each code generator translates the part of the description with which it is provided, in order to provide at least one part of the computer code in a language.

Independent claim 25 recites a software description language encoded on a computer readable medium. The software description language is organized in classes that enable defining first classes that give access to technical and function services to be provided by a hardware and software computer platform receiving the computer application. According to the claim, the services cannot be defined by the software description language. Additionally, the other classes cannot have access to any one of these technical or functional services except through the first class.

Independent claim 27 recites a software encoded on a computer readable medium. The software enables graphically or textually building a computer application model and providing a description of the model in a software description language. The software description language is organized in classes enabling it to define first classes that have access to technical and functional serves to be provided by a hardware and software platform receiving the computer application. According to the claim, the services cannot be defined by the software description language. Additionally, the other classes cannot have access to any one of these technical or functional services except through the first class.

Brassard relates source code generator tools that generate source code in the context of component-based programming. *See* Brassard at col. 1, lines 13-15. The single source code generator tool can generate code for any object oriented programming language or any programming language supporting components. *See* Brassard at col. 6, lines 48-50. The invention includes a generator engine 52, which is itself composed of a model declaration engine 4, a generation instructions engine 47, and a recursion binder 48. *See Id.* at col. 11, lines 41-50; FIG. 3. A model declaration engine 46 analyzes model declarations 51 and provides information for the creation of an abstract syntax tree 58. *Id.* The model declaration can either be language-independent or adapted for use with a specific programming language such as C++, JAVA, or SmallTalk. *Id.* at col. 12, lines 40-45. Brassard, however, fails to disclose each and every feature of the claimed invention.

With regard to independent claim 11, Brassard fails to disclose “distributing said description between several code generators according to modifiable distribution rules.” Indeed, Brassard appears to make no disclosure of distribution amongst multiple code generators at all. *See* FIG. 3 (showing only one code generator). The Examiner asserts that Brassard’s FIG. 3 and the accompanying discussion are proof of the existence of multiple generators for multiple

languages used at the same time within the generation process. *See* Office Action at 3. Instead, however, Brassard merely discloses a single code generator able to target different languages one at a time and not several code generators, as claim 11 requires. Thus, for this reason alone, the rejection of claim 11 is improper and should be withdrawn.

Claim 11 is patentable for the separate and independent reason that Brassard fails to disclose modifiable distribution rules. The portion of Brassard cited by the Examiner fails to disclose modifiable distribution rules and Applicants can find no disclosure of modifiable distribution rules in Brassard. Thus, claim 11 is patentable over Brassard for the separate and independent reason that Brassard fails to disclose modifiable distribution rules.

As Brassard fails to disclose each and every feature of claim 11, Applicants respectfully request withdrawal of the rejection of claim 11. Claims 12-24 depend from claim 11 and are patentable for at least the same reasons as claim 11 as well as for the additional features they recite. Applicants, therefore, respectfully request the withdrawal of the rejection of claims 12-24.

Both independent claims 25 and 27 relate to a software description language or software with a software description language where the “service cannot be defined by said language.” Despite the Examiner’s contention to the contrary, this feature is not present in Brassard. The Office Action alleges that this feature of claims 25 and 27 is disclosed by steps 112-114 shown in FIG. 5d and at FIG. 3 reference numbers 50 and 55. *See* Office Action at 9-10. The portion of Brassard cited by the Examiner, however, merely relates to the functioning of the generator engine and not to any software description language. Indeed, Applicants can find no disclosure in Brassard’s Specification relating to services that cannot be defined by the language, as claims 25 and 27 require. Accordingly, both independent claims 25 and 27 are patentable over Brassard for this reason alone.

Independent claims 25 and 27, however, are also patentable over Brassard for the separate and independent reason that Brassard fails to disclose a software description language or a software with a software description language in which “the other classes cannot have access to any one of [the] technical or function service except though... first classes.” The Office Action alleges that this feature is disclosed by FIG. 5d of Brassard at steps 118-122 and by FIG. 3, reference numbers 49 and 52. *See* Office Action at 9-10. Applicants respectfully submit that the Examiner’s reliance on these portions of Brassard is misplaced. The cited portions of Brassard

(as well as FIG. 5c and col. 17, line 23 – col. 19, line 22) relate to “constant creation” by the generator engine. Constant creation does not relate in any way to not allowing other classes to have access to any one of the technical or function services of a hardware and software computer platform except through the first classes. Accordingly, claims 25 and 27 are patentable over Brassard for the separate and independent reason that Brassard fails to disclose a software description language in which “the other classes cannot have access to any one of [the] technical or function service except though... first classes,” as required by claims 25 and 27.

Thus, Brassard fails to disclose each and every feature of claims 25 and 27. Claims 26 and 28 depend from claims 25 and 27, respectively, and are patentable for at least the same reasons as well as for the additional features they recite. Applicants, therefore, respectfully request withdrawal of the rejection of claims 25-28.

### *New Claims*

Applicants have amended the claim set to include new claims 29-31. New claim 29 recites nearly the same limitations as claim 11 except that it recites a software “encoded on either a random access memory (RAM) or a hard disk” rather than a “computer readable medium.” Accordingly, claim 29 is patentable for at least the same reasons stated above with respect to claim 11. Similarly, new claims 30 and 31 recite nearly the same limitations as claims 25 and 27 except that they recite “a software description language” and “a software” (respectively) “encoded on either a random access memory (RAM) or a hard disk” rather than a “computer readable medium.” New claims 30 and 31 are, therefore, patentable for at least the same reasons stated above with respect to claim 25 and 27. Applicants, therefore, respectfully request that the Examiner allow new claims 29-31.

**CONCLUSION**

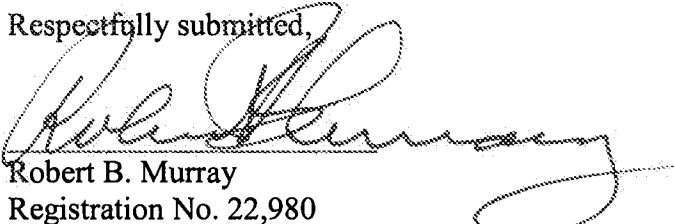
In view of the above, all objections and rejections have been sufficiently addressed. Applicants submit that the application is now in condition for allowance and request that the Office allow claims 11-31 and pass this application to issue.

If any additional payment is required, please charge the cost thereof to deposit account no. 02-2135.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

Respectfully submitted,

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